

**GOVERNOR PETE WILSON**

September 3, 1993

Mr. Michael R. Frost, Chairman
California Integrated Waste Management Board
8800 Cal Center Drive
Sacramento, California 95826

Dear Mr. Frost:

Recently, I signed AB 1827 (Sher) to comply with the mandated requirements of the new federal law governing national standards for solid waste management. California was required to comply with the new solid waste standards when Congress reauthorized the Resources Conservation and Recovery Act (RCRA), the primary federal statute governing solid waste.

This is yet another new, unfunded, Federal mandate which will create an additional burden on local government in California, especially already distressed rural counties.

As I have stated repeatedly, I remain firmly opposed to all such unfunded federal mandates. Unfortunately, unless Congress amends RCRA or U.S. EPA amends its regulations, costs for both taxpayers and business will increase. However, the failure to pass AB 1827 would have resulted in federal sanctions which would have an even more onerous burden on both public and private landowners.

AB 1827 accomplishes the changes in California law necessary for the state to obtain final solid waste program approval from the United States Environmental Protection Agency (U.S. EPA). As an approved state, California will be able to utilize both the flexibility in the federal program to aggressively work with local governments to meet their unique circumstances and avoid even more onerous and costly federal sanctions.

New federal regulations, known as Subtitle D under RCRA, require county landfills to adhere to strict new standards beginning October 9, 1993. Subtitle D requires a number of major and costly changes in the way these facilities are designed, operated, and ultimately closed.

In order to assist landfill operators throughout the state in making this transition and dealing with these changes in the most prompt and efficient manner possible, I have directed the state agencies to pursue three immediate courses of action.

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First, I have directed my Washington office to aggressively pursue waivers with the United States Environmental Protection Agency to grant an extension of time for small landfills to come into compliance with these new requirements.

Second, our state will continue to work with the United States Environmental Protection Agency on ways to work with the United States Environmental Protection Agency on ways to maximize California flexibility under this program. Through the passage of this bill, the statutory provisions are in place to enable California to become one of the first "approved states" under these new Subtitle D regulations. We will aggressively pursue every mechanism to provide local governments with the greatest flexibility possible in order to respond to their unique circumstances. It is important to note that much of the flexibility in the federal program is only available to approved state programs. I have asked the California Integrated Waste Management Board and the State Water Resources Control Board to institute all areas of currently allowed flexibility by the October 9, 1993, deadline.

Third, I have asked the state's Integrated Waste Management Board and the Water Resources Control Board to jointly conduct a series of informational workshops in September for public and private landfill operators, local governments and other interested parties so that they may have full information and assistance in complying with the requirements of the law.

If you have any questions or recommendations regarding the implementation of this regulation, please ask your staff to contact Paul Blais, Special Assistant to the Secretary at the California Environmental Protection Agency at (916) 324-7584

Sincerely,



PETE WILSON

Enclosure